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10/648,184	08/25/2003	Amlan Datta	129843-1099	5153
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GARDERE / JHIF				
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1601 ELM STREET				
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EXAMINER				
LE, HOA T				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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10648184	8/25/03	DATTA ET AL.	129843-1099

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## ART UNITPAPER

179420091013

DATE MAILED:

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## Commissioner for Patents

The IDS filed October 9, 2009 has been considered. A copy of the initialed PTO-1449 is enclosed. The JP reference 2002-037645 ("JP'645") discloses a microsphere wherein the presence of general alkali- and alkaline-earth metal oxides as optional and does not require the presence of specific alkali metal oxide and alkaline earth metal oxide in specific proportions, namely greater than 4 wt% of sodium oxide and at least 5.2 wt% of calcium oxide, respectively, as required in the instant claims. Furthermore, the JP'645 permits an amount up to 30wt% of alkali metal oxide while the instant claims limits total alkali metal oxide to 10 wt%. It would not have been obvious to vary the components and proportions taught by JP'645 to meet the specific components and proportions, especially regarding alkali metal oxide and alkaline earth metal oxide, as required by the instant claims because the JP'645 gave no guidance or reason to do so. In particular, the examples in JP'645 all show calcium oxide being less than 5 wt%.

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Primary Examiner, Art Unit 1794